

Clement & Murphy
PLLC

May 31, 2023

Via ECF

Hon. Loretta A. Preska
United States District Court for the Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, NY 10007

Re: *Petersen Energía Inversora, S.A.U. v. Argentine Republic*, No. 15-cv-2739 (“*Petersen*”)
Eton Park Capital Management, L.P. v. Argentine Republic, No. 16-cv-8569 (“*Eton Park*”)

Your Honor:

Plaintiffs write in response to the Court’s May 24, 2023 order to the parties to submit their positions regarding how to proceed. *See Petersen* ECF No. 450; *Eton Park* ECF No. 379. The parties have conferred as required by that order, but have not been able to agree to a joint proposal.

Plaintiffs believe that the limited issues to be tried – when, between April 16 and May 7, 2012, the Republic acquired control of Repsol’s shares of YPF S.A., and the appropriate commercial interest rate to be applied (to the extent the Court desires evidentiary submissions on that issue) – require no more than a one-day hearing and limited pre-hearing submissions. The Republic’s largely unsuccessful motion for reconsideration has already resulted in substantial delay since the Court’s summary judgment opinion, and the briefing of that motion effectively provided extensive supplemental argument on the issues to be tried. Plaintiffs thus urge the Court to proceed expeditiously to a hearing that will finally resolve this long-running case.

Plaintiffs and the Republic appear to agree to June 23 as the deadline for the parties to submit a joint pretrial order, witness lists, and exhibit lists. However, Plaintiffs believe that a short pre-hearing brief of no more than five pages is adequate in light of the extensive briefing to date. Finally, Plaintiffs propose that the Court schedule a one-day hearing as soon after June 23 as the Court can accommodate.

Respectfully submitted,

s/Paul D. Clement
Paul D. Clement

Cc: All counsel of record via ECF